

**MATTHEW W. BRISSENDEN, P.C.**  
**ATTORNEY AT LAW**

666 Old Country Road, Suite 501  
Garden City, New York 11530

516-683-8500, Fax: 516-683-8410  
[matthew.w.brissenden@gmail.com](mailto:matthew.w.brissenden@gmail.com)

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February 11, 2021

**Via ECF**

The Honorable Joseph F. Bianco  
United States Circuit Judge  
United States Court of Appeals for the Second Circuit  
1040 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Kenner, 13-CR-607

Dear Judge Bianco,

This office has been appointed as standby counsel to assist Phillip Kenner in his capacity as a *pro se* litigant. Mr. Kenner is currently scheduled to appear before Your Honor on February 24<sup>th</sup> for a determination with respect to his restitution obligations.

As the Court is likely aware, there has been a recent spike in COVID-19 cases at the Metropolitan Detention Center. Mr. Kenner informs me that, due to ongoing lockdowns, he has been unable to access his material or prepare for the upcoming appearance. As a result, Mr. Kenner is respectfully seeking a continuance to March 23, 2021 at 10:30 a.m.

Thank you for your consideration.

Respectfully submitted,

/s/

Matthew W. Brissenden

cc: All Counsel (*via* ECF)  
Phillip Kenner